

Emergency Rule
LSA Document #13-298(E)

DIGEST

Amends [65 IAC 7-1-3](#) to add new requirements for game rules published on the Commission's website. Makes numerous other technical and ministerial changes such as elimination of references to "pull-tab" games and various additional changes in the rules regarding lottery games. Repeals [65 IAC 7-2-1](#) through [65 IAC 7-2-7](#), [65 IAC 7-3-1](#) through [65 IAC 7-3-7](#), [65 IAC 7-4](#), [65 IAC 7-5](#), [65 IAC 7-6-1](#) through [65 IAC 7-6-8](#), [65 IAC 7-6.5](#), [65 IAC 7-7-1](#) through [65 IAC 7-7-12](#), [65 IAC 7-8](#), [65 IAC 7-9](#), and [65 IAC 7-10-1](#) through [65 IAC 7-10-9](#). Effective June 28, 2013.

[65 IAC 7-1-1](#); [65 IAC 7-1-2](#); [65 IAC 7-1-3](#); [65 IAC 7-1-4](#); [65 IAC 7-1-5](#); [65 IAC 7-1-6](#); [65 IAC 7-1-7](#); [65 IAC 7-1-8](#); [65 IAC 7-1-9](#); [65 IAC 7-2-1](#); [65 IAC 7-2-2](#); [65 IAC 7-2-3](#); [65 IAC 7-2-4](#); [65 IAC 7-2-5](#); [65 IAC 7-2-6](#); [65 IAC 7-2-7](#); [65 IAC 7-3-1](#); [65 IAC 7-3-2](#); [65 IAC 7-3-3](#); [65 IAC 7-3-4](#); [65 IAC 7-3-5](#); [65 IAC 7-3-6](#); [65 IAC 7-3-7](#); [65 IAC 7-4-1](#); [65 IAC 7-4-2](#); [65 IAC 7-4-3](#); [65 IAC 7-4-4](#); [65 IAC 7-4-5](#); [65 IAC 7-4-6](#); [65 IAC 7-4-7](#); [65 IAC 7-4-8](#); [65 IAC 7-4-9](#); [65 IAC 7-4-10](#); [65 IAC 7-5-1](#); [65 IAC 7-5-2](#); [65 IAC 7-5-3](#); [65 IAC 7-5-4](#); [65 IAC 7-5-5](#); [65 IAC 7-5-6](#); [65 IAC 7-5-7](#); [65 IAC 7-5-8](#); [65 IAC 7-5-9](#); [65 IAC 7-6-1](#); [65 IAC 7-6-2](#); [65 IAC 7-6-3](#); [65 IAC 7-6-4](#); [65 IAC 7-6-5](#); [65 IAC 7-6-6](#); [65 IAC 7-6-7](#); [65 IAC 7-6-8](#); [65 IAC 7-6.5-1](#); [65 IAC 7-6.5-2](#); [65 IAC 7-6.5-3](#); [65 IAC 7-6.5-4](#); [65 IAC 7-6.5-5](#); [65 IAC 7-6.5-6](#); [65 IAC 7-6.5-7](#); [65 IAC 7-6.5-8](#); [65 IAC 7-7-1](#); [65 IAC 7-7-2](#); [65 IAC 7-7-3](#); [65 IAC 7-7-4](#); [65 IAC 7-7-5](#); [65 IAC 7-7-6](#); [65 IAC 7-7-7](#); [65 IAC 7-7-8](#); [65 IAC 7-7-9](#); [65 IAC 7-7-10](#); [65 IAC 7-7-11](#); [65 IAC 7-7-12](#); [65 IAC 7-8-1](#); [65 IAC 7-8-2](#); [65 IAC 7-8-3](#); [65 IAC 7-9-1](#); [65 IAC 7-9-2](#); [65 IAC 7-9-3](#); [65 IAC 7-9-4](#); [65 IAC 7-10-1](#); [65 IAC 7-10-2](#); [65 IAC 7-10-3](#); [65 IAC 7-10-4](#); [65 IAC 7-10-5](#); [65 IAC 7-10-6](#); [65 IAC 7-10-7](#); [65 IAC 7-10-8](#); [65 IAC 7-10-9](#)

SECTION 1. [65 IAC 7-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-1](#) Applicability

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 1. This article applies to all lottery games unless the rule or game rules applicable to for a specific lottery game are in conflict with this article, in which case the rule or game rules applicable to for the specific lottery game shall control for that game.

(State Lottery Commission; [65 IAC 7-1-1](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 2. [65 IAC 7-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-2](#) Compliance with law and procedures

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 2. Any A person who purchases a ticket in a lottery game agrees thereby to comply with and abide by [IC 4-30](#), this title, and all the procedures, instructions, and final decisions of the director in connection with the conduct of the lottery game for which the ticket is purchased.

(State Lottery Commission; [65 IAC 7-1-2](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 3. [65 IAC 7-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-3](#) Game rules

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 3. (a) The director, or the director's designee, is authorized to develop and determine game rules for specific lottery games on behalf of the commission.

(b) ~~Any Game rules created under subsection (a) shall:~~

(1) ~~include, the necessary criteria or conditions for winning a prize, including:~~ **at minimum, the:**

(A) ~~the sales price of a ticket;~~

(B) ~~the number and size of prizes, and~~ **if applicable;**

(C) ~~the method of selecting winning tickets; and~~

(C) size of available prizes or, in instances where size is variable, the method for determining the size of prizes;

(D) method of selecting or identifying winning tickets;

(E) manner of payment of prizes, including whether prizes are payable in a lump sum or installments;

(F) frequency of selection events, if applicable; and

(G) approximate odds of winning; and

(2) be published on the commission's web page and otherwise available in hard copy upon request, but need not be published in the Indiana Administrative Code.

(c) The director, or the director's designee, shall upon the request of ~~any~~ **a** commissioner advise the commission of the contents of any new game rules developed under this section.

(State Lottery Commission; [65 IAC 7-1-3](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Aug 16, 2012, 10:40 a.m.: [20120822-IR-065120496ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 4. [65 IAC 7-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-4](#) Availability of instant tickets

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 4. The availability of tickets for sale in a scratch-off ~~or pull-tab~~ game depends on retailer orders for tickets. Not all scratch-off ~~or pull-tab~~ tickets may be made available for sale prior to game closing. ~~and opened packs of scratch-off tickets may be returned by a retailer to the lottery under [65 IAC 3-4-1\(a\)](#).~~

(State Lottery Commission; [65 IAC 7-1-4](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 5. [65 IAC 7-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-5](#) Termination of a game

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 5. (a) The director may suspend or terminate ~~any~~ **a** game without advance notice if **the director deems** such suspension or termination **is to be** in the best interest of the lottery.

(b) A scratch-off ~~or pull-tab~~ game will ~~end~~ **be terminated** when all tickets for that game have been sold or on a date determined by the director or the director's designee. A scratch-off ~~or pull-tab~~ game may be ~~closed~~ **terminated** prior to all prizes being awarded.

(c) If the director or the director's designee determines ~~an end~~ **a termination** date for a scratch-off ~~or pull-tab~~ game, tickets in that game may remain on sale during the game ~~closing~~ **termination** process in accordance with the policies of the director even if all prizes have been claimed.

(d) All sales of tickets in a draw game must cease immediately or at the time specified by the director or the

director's designee if that draw game is suspended or terminated.

(State Lottery Commission; [65 IAC 7-1-5](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 6. [65 IAC 7-1-6](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-6](#) Multi-draw tickets

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 6. (a) Unless the rule **game rules** for a specific game ~~provides~~ **provide** otherwise, the commission may offer multi-draw tickets in a draw game that are valid for a designated number of consecutive selection events.

(b) A multi-draw ticket may specify the first selection event for which it is valid or, if no selection event is so specified, shall be valid for the next selection event held after the multi-draw ticket is purchased for that game.

(c) A multi-draw ticket may be canceled by the commission at any time. If a multi-draw ticket is canceled by the commission, the owner will be issued a refund for the pro rata portion of the purchase price of the ticket applicable to future selection events or will be issued substitute tickets equal in purchase price to the pro rata portion of the purchase price of the multi-draw ticket applicable to future selection events for the same or a comparable game, at the discretion of the director.

(d) The commission may conduct multiple selection events during any week, and multi-draw tickets shall be valid for a particular number of selection events rather than a particular period of time.

(State Lottery Commission; [65 IAC 7-1-6](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 7. [65 IAC 7-1-7](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-7](#) Cancellation by a player

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 7. (a) Unless the rule **game rules** for a specific game ~~provides~~ **provide** otherwise and except as provided in subsection (b), ~~an on-line~~ **a draw game** ticket may be cancelled on the terminal that generated the ticket.

(b) ~~An on-line~~ **A draw game** ticket cannot be cancelled if:

- (1) more than sixty (60) minutes has passed since the time the ticket was purchased; or
- (2) the closing time for the selection event for which the ticket was purchased has passed.

(c) If a ticket is cancelled in accordance with this section, the player is entitled to a refund from the retailer of money paid for the ticket.

(State Lottery Commission; [65 IAC 7-1-7](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 8. [65 IAC 7-1-8](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-8](#) Prize drawings; selection events

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30-3-7](#); [IC 4-30-11](#)

Sec. 8. (a) Any selection event for a draw game shall be conducted as provided in this section.

(b) Selection events to award prizes shall be conducted periodically as determined by the director or as provided in the **rule game rules** applicable to a specific game.

(c) The director or the director's designee shall determine and announce the dates, times, and procedures for selection events to select prize winning characters or symbols for each draw game, consistent with the specific game rules for that game and with this article.

~~(d) All selection events in a draw game shall be:
(1) open to the public; and
(2) witnessed by an independent certified public accountant.~~

~~(e) (d)~~ Disputes regarding the rules or procedures for a selection event shall be resolved by the director in the exercise of the director's sole discretion.

~~(f) (e)~~ If the director finds that it is in the best interests of the lottery or the public, the director may:
(1) reasonably postpone ~~any a~~ selection event to a future time and immediately publicize the postponement; or
(2) substitute the selection event of another state-run lottery as long as the substitute selection event is reasonably equivalent to the selection event being replaced in terms of game play, randomness, and reliability.

~~(g) (f)~~ The director, or the director's designee, shall advise the commission of the details of ~~any an~~ action taken under subsection ~~(g) (e)~~ of this section at the commission's next regular meeting.

~~(h) (g)~~ The commission, the director, and the commission's employees shall have no liability for circulation, publication, or broadcast of incorrect winning numbers with respect to a selection event.

(State Lottery Commission; [65 IAC 7-1-8](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 9. [65 IAC 7-1-9](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 7-1-9](#) Ticket liabilities

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30-11](#)

Sec. 9. (a) A lottery ticket is a bearer instrument until it is signed by the owner or owners in the designated area of the ticket. If a ticket is properly signed, the person whose signature appears on the ticket shall be the owner of the ticket and entitled to any prize attributable thereto. ~~except that a pull tab ticket remains at all times a bearer instrument and shall be owned by the physical possessor of the ticket unless the prize:~~

~~(1) exceeds five hundred ninety-nine dollars (\$599); and
(2) a space has been designated on the ticket for a signature.~~

(b) The bearer ~~or owner~~ of a lottery ticket is responsible for and bears the sole risk of loss or theft of the ticket.

(c) A retailer acts on behalf of the player when entering information into a terminal to produce lottery tickets, and it is the sole responsibility of the player to verify the accuracy of all game information printed on the ticket. In the event of any error, the player's only remedy is cancellation of the ticket in accordance with section 7 of this rule, unless the rule for a specific game provides otherwise.

(d) The commission, the director, and the commission's employees have no responsibility or liability for tickets printed in error or for tickets intentionally or inadvertently canceled by a retailer.

~~(e) After a retailer accepts delivery of a pull tab ticket, the retailer bears the sole risk of loss, damage, or theft~~

of the pull-tab ticket until the pull-tab ticket is sold by the retailer to a player.

(f) **(e)** A lottery ticket is not a negotiable instrument.

~~(g) All holders~~ **(f) A holder** of a lottery game ticket shall be deemed to have agreed to all rules and procedures of the commission by ~~their~~ **the** purchase of the ticket.

(State Lottery Commission; [65 IAC 7-1-9](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Sep 22, 2010, 3:36 p.m.: [20100929-IR-065100618ERA](#); emergency rule filed Jun 28, 2013, 1:14 p.m.: [20130710-IR-065130298ERA](#))

SECTION 10. THE FOLLOWING ARE REPEALED: [65 IAC 7-2-1](#); [65 IAC 7-2-2](#); [65 IAC 7-2-3](#); [65 IAC 7-2-4](#); [65 IAC 7-2-5](#); [65 IAC 7-2-6](#); [65 IAC 7-2-7](#); [65 IAC 7-3-1](#); [65 IAC 7-3-2](#); [65 IAC 7-3-3](#); [65 IAC 7-3-4](#); [65 IAC 7-3-5](#); [65 IAC 7-3-6](#); [65 IAC 7-3-7](#); [65 IAC 7-4-1](#); [65 IAC 7-4-2](#); [65 IAC 7-4-3](#); [65 IAC 7-4-4](#); [65 IAC 7-4-5](#); [65 IAC 7-4-6](#); [65 IAC 7-4-7](#); [65 IAC 7-4-8](#); [65 IAC 7-4-9](#); [65 IAC 7-4-10](#); [65 IAC 7-5-1](#); [65 IAC 7-5-2](#); [65 IAC 7-5-3](#); [65 IAC 7-5-4](#); [65 IAC 7-5-5](#); [65 IAC 7-5-6](#); [65 IAC 7-5-7](#); [65 IAC 7-5-8](#); [65 IAC 7-5-9](#); [65 IAC 7-6-1](#); [65 IAC 7-6-2](#); [65 IAC 7-6-3](#); [65 IAC 7-6-4](#); [65 IAC 7-6-5](#); [65 IAC 7-6-6](#); [65 IAC 7-6-7](#); [65 IAC 7-6-8](#); [65 IAC 7-6.5-1](#); [65 IAC 7-6.5-2](#); [65 IAC 7-6.5-3](#); [65 IAC 7-6.5-4](#); [65 IAC 7-6.5-5](#); [65 IAC 7-6.5-6](#); [65 IAC 7-6.5-7](#); [65 IAC 7-6.5-8](#); [65 IAC 7-7-1](#); [65 IAC 7-7-2](#); [65 IAC 7-7-3](#); [65 IAC 7-7-4](#); [65 IAC 7-7-5](#); [65 IAC 7-7-6](#); [65 IAC 7-7-7](#); [65 IAC 7-7-8](#); [65 IAC 7-7-9](#); [65 IAC 7-7-10](#); [65 IAC 7-7-11](#); [65 IAC 7-7-12](#); [65 IAC 7-8-1](#); [65 IAC 7-8-2](#); [65 IAC 7-8-3](#); [65 IAC 7-9-1](#); [65 IAC 7-9-2](#); [65 IAC 7-9-3](#); [65 IAC 7-9-4](#); [65 IAC 7-10-1](#); [65 IAC 7-10-2](#); [65 IAC 7-10-3](#); [65 IAC 7-10-4](#); [65 IAC 7-10-5](#); [65 IAC 7-10-6](#); [65 IAC 7-10-7](#); [65 IAC 7-10-8](#); [65 IAC 7-10-9](#).

LSA Document #13-298(E)

Filed with Publisher: June 28, 2013, 1:14 p.m.

Posted: 07/10/2013 by Legislative Services Agency

An [html](#) version of this document.